Attorney's Docket No.: 09531-016003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary L. Nelsestuen Art Unit: 1656

Serial No.: 10/828,901 Examiner: Holly G. Schnizer

Filed : April 21, 2004 Conf. No. : 5884
Title : MODIFIED VITAMIN K-DEPENDENT POLYPEPTIDES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), REGENTS OF THE UNIVERSITY OF MINNESOTA, a university, certifies that it is the Assignee of the entire right, title, and interest in the present application by virtue of an Assignment from the inventor of the present patent application. The assignment was recorded in the Patent and Trademark Office at Reel <u>018215</u>, Frame <u>0365</u> on <u>September 7, 2006</u>.

To the best of undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned is empowered to act on behalf of the Assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the Assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the present application subsequent to the expiration date of U.S. Patent No. 6,762,286, provided that any patent granted on the present application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,762,286.

The Assignee identified above does not disclaim any terminal part of any patent granted on the present application prior to the expiration date of the full statutory term of U.S. Patent No. 6,762,286 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,762,286.

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This disclaimer runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

Please charge \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d), and apply any other charges or credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: August 3, 2007

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